

United States District Court
STATE AND DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

V.

(01) ARTURO BARRILLA GARCIA
(02) EDVIN EMANUEL GOMEZ MALDONADO

CRIMINAL COMPLAINT

Case Number:

10-mj-9 ALB

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about December 10, 2009, in Dakota county, in the State and District of Minnesota defendant(s), Arturo Barrilla Garcia and Edvin Emanuel Gomez Maldonado did knowingly and intentionally conspire to distribute 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a controlled substance,

in violation of Title 21 United States Code, Section(s) 841(a)(1), 841(b)(1)(B) and 846.

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me, and subscribed in my presence,

Date

January 11, 2010
The Honorable Arthur J. Boylan
UNITED STATES MAGISTRATE JUDGE

Name & Title of Judicial Officer

at

Christopher E. Hage

Signature of Complainant

Christopher E. Hage

DEA

St. Paul, MN

City and State

Signature of Judicial Officer

SCANNED

JAN 12 2010

U.S. DISTRICT COURT ST. PAUL

STATE OF MINNESOTA)
) ss. Affidavit of
) SA Christopher E. Hage
COUNTY OF RAMSEY)

I, Special Agent Christopher E. Hage, having been first duly sworn and under oath, state that the following is true and correct to the best of my knowledge:

1. I am employed as a Drug Enforcement Administration ("DEA") Special Agent ("SA"). I have been employed by the DEA since December 2000. My initial years as a Special Agent were spent working out of the San Diego Field Division office. I am currently assigned to the Minneapolis District Office, Enforcement Group 72 and have been since July 2007. I am currently assigned to investigate illicit drug trafficking organizations operating in and around the state of Minnesota.
2. I received 16 weeks of training at the DEA(JTC) Academy located at the Federal Bureau of Investigation Academy in Quantico, Virginia, where I became familiar with how controlled substances are consumed, manufactured, packaged, marketed and distributed.
3. As a DEA SA, I have participated in numerous narcotic investigations of alleged criminal violations of the Controlled Substances Act Laws. I have received substantive advanced training pertaining to the investigation of various crimes which arise from drug trafficking. I have participated in undercover investigations involving the purchase of controlled substances, executed search warrants for controlled substances, and have conducted numerous surveillances in connection with narcotic investigations. I am familiar with the operation of illegal drug trafficking organizations in the United States, including those organizations whose operations involve the distribution of wholesale quantities of crystal methamphetamine. I have been the case agent on a case that developed twelve wiretaps. My experience as a DEA SA, my participation in the investigation of narcotic organizations, my conversations with other Special Agents of the DEA familiar with narcotic trafficking and money laundering matters, and my training form the basis of the opinions and conclusions set forth below, which I drew from the facts set forth herein.

4. On or around December 10, 2009, Group 72 of the DEA purchased approximately 4 ounces of crystal methamphetamine from Manuel Mata RODRIGUEZ utilizing a DEA Confidential Source (CS). The CS initially purchased three ounces of crystal methamphetamine from RODRIGUEZ and then, later, purchased one ounce of crystal methamphetamine from RODRIGUEZ. Agents observed individuals, subsequently identified as Arturo Barrilla GARCIA and Edwin Emanuel Gomez MALDONADO working as a team to deliver the crystal methamphetamine to RODRIGUEZ immediately prior to their sale to the CS. This all occurred in West St. Paul, Minnesota. Arturo Barrilla GARCIA was previously known by law enforcement as a crystal methamphetamine trafficker.

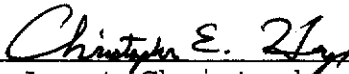
5. During the first transaction, the CS (with agents) ordered via telephone, three ounces of crystal methamphetamine from RODRIGUEZ. RODRIGUEZ agreed to supply it. Agents who had established surveillance on RODRIGUEZ observed him arrive at the agreed-upon transaction site in West St. Paul, Minnesota, and walk out of the line of sight of the surveillance agents. The CS who was also at the transaction site observed RODRIGUEZ walk over to GARCIA's and MALDONADO's vehicle, which was out of the line of sight of surveillance agents. The CS observed MALDONADO, while a passenger in the vehicle, hand over a package of crystal methamphetamine to RODRIGUEZ. RODRIGUEZ then immediately delivered that package of crystal methamphetamine to the CS who paid RODRIGUEZ with official government funds for it. The CS then departed the area and was followed by a DEA agent to whom he relinquished the crystal methamphetamine. While RODRIGUEZ was making the exchange with the CS, the vehicle occupied by GARCIA and MALDONADO drove closer to the CS's vehicle into the line of sight of the agents. When RODRIGUEZ completed the drug transaction with the CS, an agent observed RODRIGUEZ go to the passenger side of GARCIA and MALDONADO's vehicle, put his hands in the window and interact with the occupants. In your affiant's training and experience this would be consistent with RODRIGUEZ paying off GARCIA and MALDONADO for the drugs which they had advanced to him.

6. Following this transaction, there was another crystal methamphetamine purchase involving the same individuals. In the second transaction, the CS (with agents) ordered via telephone an ounce of crystal methamphetamine from RODRIGUEZ. RODRIGUEZ agreed to supply it. At the agreed upon time, agents conducting surveillance saw RODRIGUEZ in

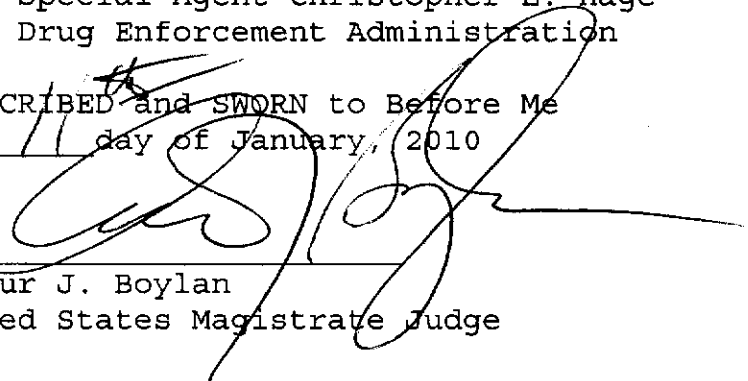
his vehicle and GARCIA and MALDONADO in their vehicle arrive at the agreed upon transaction site, in West. St. Paul, Minnesota, in tandem. In your affiant's training and experience, vehicles driven by co-conspirators often travel in tandem to drug transactions. This allows the occupants in one vehicle to transport the drugs, and the occupant in the other vehicle to deal with customers. It also allows co-conspirators to have one vehicle watch over the transaction and provide "muscle" if something should not go according to plan, and additional eyes to watch for law enforcement. When both vehicles parked, an agent saw RODRIGUEZ approach GARCIA and MALDONADO's vehicle and observed GARCIA hand something to RODRIGUEZ. Minutes later the CS arrived at the transaction site. RODRIGUEZ then delivered one ounce of crystal methamphetamine to the CS in exchange for official government funds. After the exchange, an agent observed RODRIGUEZ go to the passenger side of GARCIA's and MALDONADO's vehicle and interact with them through the window. In your affiant's training and experience this would be consistent with RODRIGUEZ paying off GARCIA and MALDONADO for the drugs which they had advanced to him. The CS was followed away from the transaction site by an agent to whom he/she relinquished the crystal methamphetamine. All four ounces from both buys tested presumptively positive as methamphetamine.

For these reasons, I believe that probable cause exists to believe that the above-named defendants violated 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B) and 846.

Further Your Affiant Sayeth Not.


Special Agent Christopher E. Hage
Drug Enforcement Administration

SUBSCRIBED and SWORN to Before Me
This 11 day of January, 2010


Arthur J. Boylan
United States Magistrate Judge